

**To:** Hague, Mark[Hague.Mark@epa.gov]  
**Cc:** Lois Gibbs[lgibbs@chej.org]  
**From:** Lois Gibbs  
**Sent:** Thur 4/9/2015 10:44:58 PM  
**Subject:** Chris Koster letter to Karl Brooks  
[AG StLouis take back site ltr.pdf](#)  
[Brooks letter to AG.pdf](#)

Mark,

Thank you for taking my call. The letter Just Moms STL were referring to is dated March 18, 2014. I have attached a copy. The second page is what local group is referring to. I also attached a letter from Brooks that refers to a conversation about this issue but doesn't address the key question of taking the site back. There may be another letter that my researches have missed. I've attached that as well.

When the (2) RODs were agreed upon there was no fire. The site today is completely different as are the health and environmental threats/risks. That is the basis of my question.

Thank you.

Lois

Karl Brooks March 18, 2014

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**Federal authority over OU-1's radiological deposits:** The entire West Lake / Bridgeton landfill complex was long-ago designated a Superfund site under federal control. To date, EPA has limited its exercise of regulatory jurisdiction to the defined Operable Units at West Lake, and

it deferred its oversight of the remainder of the Bridgeton landfill to the Missouri Department of Natural Resources. But the developing information indicating the spread of OU-1's radioactive material suggests this division of legal authority may require a change. EPA expressly deferred its legal authority regarding solid-waste facility closure and post-closure of the Bridgeton landfill to the State only because that portion was thought to be untainted by OU-1's radioactive waste. It is the federal government-whether EPA exclusively or EPA working in conjunction with the Army Corps of Engineers-that is vested with the legal authority and the resources to direct remediation of sites containing OU-1's radioactive waste. If radioactive material from OU-1 is confirmed to be located in the Bridgeton landfill, legal authority over the contaminated site must shift back from the State to the federal government.

**Rapid construction of isolation barrier:** Last September, Republic announced its intention to build an isolation barrier to separate the radiological material in OU-1 from the smoldering fire in the southern part of the Bridgeton landfill. Over six months have passed, yet construction of the barrier still has not begun. Although we acknowledge that essential surveying is still underway, the ongoing site testing need not prevent construction from commencing, at least in part. As EPA completes its radiological profile of the site, we ask that it also finish its review of Republic's proposed plan to construct the isolation barrier and, upon identifying a sound design, direct that construction begin without delay.

The State's highest priority is to protect the health and safety of its residents. Even if circumstances require that EPA reassert its legal authority over the entire West Lake site, the State will continue its work in validating data, offering comments to remedial plans, and providing whatever other support may be needed. We look forward to working with EPA and Republic in taking the steps necessary to isolate the radioactive waste from the landfill fire and thereby give the people in Bridgeton and its surrounding communities the security and peace of mind they deserve.

Lois Marie Gibbs, Ph.D.

Executive Director

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